

REMARKS

Claims 60-93, 104-106, 109-110, 112-119, and 121-133 are pending in the subject application, and of these claims 118, 121-127, 132, and 133 are withdrawn. In the final Office Action of 01 June 2010, claims 60-93, 104-106, 109-110, 112-117, 119, and 128-131 were rejected on various grounds, as described in further detail below. Claim 109 is amended herein to address a minor typographic issue. Claims 104, 118, 121-127, and 132-133 are canceled without prejudice in this amendment. Without acceding to the statements made for or propriety of the rejections, Applicant has made claim amendments herein for the purpose of placing the claims in better condition for appeal.

Elections/Restrictions

Concerning item 1 of the Office Action, claims 118, 121-127, and 132-133 submitted in Applicant's last paper were withdrawn as being independent or distinct from the invention originally claimed. Without acceding to the statements made in the Office Action, claims 118, 121-127, and 132-133 are canceled by this amendment, thus rendering the restriction requirement as moot.

Claim Rejections – 35 U.S.C. § 112

Concerning items 2-3 of the Office Action, claim 104 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Without acceding to the statements made in the Office Action regarding the rejection of claim 104 under 35 U.S.C. § 112, Applicant has canceled claim 104 by this amendment.

Claim Rejections – 35 U.S.C. § 103

Concerning items 4-5 of the Office Action, claims 69-71, 82-84, 86-87, 89-93, 109, 110, 112-115, and 119 were rejected under 35 U.S.C. § 103(a) as being unpatentable over applicant admitted prior art as illustrated in FIG. 1 ("APA") in view of U.S. Patent No. 4,803,727 to Holt et al. ("Holt"). Without acceding to the statements made for or propriety of the rejections, Applicant has made claim amendments herein for the purpose of placing the claims in better condition for appeal.

Concerning item 6 of the Office Action, claims 60-68, 72-77, and 88 were rejected under 35 U.S.C. § 103(a) as being unpatentable over APA in view of Holt, cited previously, and in further view of Crochiere et al. (“Crochiere”) (“Interpolation and Decimation of Digital Signals – A Tutorial Review”). Without acceding to the statements made for or propriety of the rejections, Applicant has made claim amendments herein for the purpose of placing the claims in better condition for appeal.

Concerning item 7 of the Office Action, claims 78-81, 85, 104-106, 116-117, and 128-131 were rejected under 35 U.S.C. § 103(a) as being unpatentable over APA in view of Holt, cited previously, and in further view of U.S. Patent No. 4,809,274 to Walker et al. (“Walker”). Without acceding to the statements made for or propriety of the rejections, Applicant has made claim amendments herein for the purpose of placing the claims in better condition for appeal.

Conclusion

In view of the foregoing, the Applicant submits that the claims are now in condition for appeal.

Should the Examiner have any questions, please call the undersigned at the phone number listed below.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 501133 and please credit any excess fees to such deposit account.

Respectfully submitted,

Date: 18.August.2010

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